

Hazardous Waste Frequently Asked Questions (FAQs)

(Revised January 28, 2013)

A. Hazardous Waste Generator Questions

1. When is hazardous waste first generated?

Hazardous waste is generated when it is first produced or first becomes subject to regulation and not when a generator first analyzes the waste. The generator accumulation time period and regulations apply as soon as waste is produced or when waste is removed from the satellite accumulation area. For example, if you come across some abandoned drums and the contents are unknown, and it is determined the material in the drums no longer has a use; the drums are tested and the waste is classified as hazardous waste; then, the waste accumulation start date began when the wastes were first placed into the drums.

2. What are the requirements for episodic hazardous waste generators?

Episodic hazardous waste generators are waste generators that are normally classified as SQG or CESQG but may at certain times (i.e., once/year, once every 5 years, etc.) generate LQG or SQG amounts for that particular month. See the Episodic Hazardous Waste Generator Guidance found under Guidance on the WDEQ, Inspection & Compliance link of the SHWD web page.

3. What if a contractor wants to ship the hazardous wastes generated on my property, do they have to use my EPA ID# or the contractor's?

If a contractor is being used by a facility to comply with the manifesting and pretransport requirements, but the contractor is not the waste generator, the facility's EPA/State ID# must be used on manifests and any other records.

4. If my company or business moves to another location, do I still use my old EPA/State ID# to ship hazardous waste?

No. EPA/State ID#s are specific for location. Therefore, unless the new location has already an ID# assigned to it which you would then be assigned, you will need to fill out a new 8700-12 form to apply for a new ID# to be assigned to the new location. Information on how to obtain this number can be found under the Guidance link on the I&C web page.

5. What are the hazardous waste permitting requirements for aerosol can crusher units?

Aerosol can crushing, puncturing or shredding may meet the definition of hazardous waste treatment if the punctured aerosol cans are to be disposed and a HW determination must then be made for both the can and its contents. However, a steel

aerosol can that has been punctured and drained and is recycled as scrap metal, is exempt from the hazardous waste requirements and there is no hazardous waste treatment occurring. Also, under the crushed aerosol can disposal scenario, if the can puncturing (treatment) occurs in a closed container, the activity would also be exempt.

6. How do I dispose of my CESQG waste?

CESQGs must ensure delivery of their hazardous waste to one of seven types of TSDFs. These may include: 1) a permitted TSDF; 2) an interim status TSDF; 3) a state-authorized hazardous waste facility; 4) a state municipal solid waste facility; 5) a state non-municipal, nonhazardous waste facility; 6) a recycling or reclamation facility; or 7) a universal waste handler or destination facility.

7. What is an 'empty container'?

If the drum contains less than or equal to 1 inch of nonacute (P-listed chemical) residue and has been emptied by commonly employed practices (e.g., pouring, pumping, draining, aspirating), the container is empty and the residue is exempt from the hazardous waste requirements. What this means is that you must first pour everything out of the container that you can get out and if there is less than one inch remaining, that residue is exempt.

8. Can Conditionally Exempt Small Quantity Generators (CESQGs) evaporate hazardous waste in open containers as a disposal option (i.e., paint thinners, oil-based paints, solvents)?

No. Evaporation of hazardous waste in an open container would be classified as hazardous waste treatment and disposal. CESQGs are required to manage their hazardous waste at a federal or state permitted facility. This disposal option would, therefore, not be an acceptable disposal option.

9. What are the universal waste requirements for CESQGs?

The HWRR state that CESQGs have the option of complying with either the HWRR or universal waste rules concerning the management of universal waste. What this means is that if the CESQG decides to manage their universal waste under the universal waste rules, then he or she must comply with the specific universal waste standards concerning that universal waste type. If the total amount of potential universal waste and all other hazardous waste onsite is less than 220 pound/month, the CESQG would be allowed to dispose of the potential universal waste into a state or federal permitted waste management facility and they may also ship the waste offsite for recycling.

10. Can you thin and reuse paint sludges generated from paint thinner recycling units as base paint or is that illegal disposal?

No. According to the April 7, 1995, EPA letter from Randy Lamdin, usage of paint sludges generated from paint thinner recycling units as base paint is considered to be “sham recycling” since the still bottoms would not be considered as a by-product of the recycling process because by-products are generated via a production process, which the spent solvent recycling/reclamation activity is not. This waste would, therefore, still be classified as a listed hazardous waste and would need to be managed this way.

11. Can PCB (polychlorinated bi-phenyl) wastes be disposed at state permitted landfill sites?

The EPA Federal Toxics, Substances & Control Act (TSCA) regulates the proper disposal of PCBs. Many fluorescent light ballasts contain small PCB capacitors that contain PCBs. Persons disposing any quantity of small PCB capacitors in municipal or TSCA approved landfills are not absolved from liability under CERCLA (Superfund). Therefore, the department recommends against the disposal of individual small PCB capacitors, small PCB capacitors in fluorescent light ballasts, and untested fluorescent light ballast potting compounds as municipal solid waste.

12. What is the hazardous waste status of dry cleaning wastewaters?

The condensation from perchloroethylene (PCE) recovery during the normal drying cycle of fabrics in the drycleaning machine would be classified as hazardous waste if the wastewater exceeds the Toxicity Characteristic (TC) for PCE (0.5 mg/l). Condensation from the distillation recovery of PCE is classified as a listed hazardous waste (F001) since the waste was generated when the solvent was being used for it's solvent properties. Condensation from the steam stripping of PCE from filter cartridges would also be classified as a listed waste because it is a residue derived from the treatment of a listed hazardous waste (residues from the steam stripping of filter cartridges that contained PCE).

B. Satellite Accumulation Area (SAA) Questions

1. What is the difference between a waste accumulation area and a SAA?

The term ‘waste accumulation area’ or hazardous waste storage area, is used to delineate that area where wastes are being stored for less than 90 days without a permit. A SAA is a waste management area located at or near the point of waste generation that is under the control of the operator. Waste storage in these areas is limited only to 55 gallons or 1 quart of acute hazardous waste. In addition, the storage time clock does not begin for wastes managed in a SAA until the waste is moved to the designated waste storage area. Therefore, the difference between a waste accumulation area and the SAA is the amount of waste that can be stored and the length of time a waste can be accumulated before it must be treated onsite or shipped offsite for management. SAA does not apply to CESQG.

2. **Do containers in SAA have to comply with the air emission standards of Part 265 Subparts AA, BB, and CC?**

No. Containers in SAA are not required to comply with the air emission standards. LQGs, however, are required to comply with the RCRA air emission standards at their 90-day accumulation areas.

3. **Are SQGs and LQGs required to inspect hazardous waste containers in SAAs?**

No. Inspections of containers in SAA are not required. However, the SAA requirements require waste containers to be in control of the operator of the process generating the waste, in good condition, compatible with contents, and closed except when adding or removing wastes.

4. **Do generators have to also count the hazardous waste in SAAs when determining generator status (i.e., SQG or LQG)?**

Yes. Generators must include all the hazardous waste in the various SAAs as part of their total monthly amounts when determining generator status.

5. **The preamble to the final rule states, “only one waste will normally be accumulated at each satellite area”. Can there be more than one hazardous waste at an SAA?**

Yes. It’s permissible to have more than one hazardous waste in an SAA. Likewise, it’s permissible to have more than one container of hazardous waste in an SAA. The regulations do not limit the number of hazardous wastes or the number of containers that can be placed in an SAA. The regulations limit only the total volume of hazardous waste at a single SAA to 55 gallons (or 1 quart of acute hazardous waste).